

**To:** Lott, Don[Lott.Don@epa.gov]; Hellyer, Yvette[Hellyer.Yvette@epa.gov]  
**From:** Schulze, Chad  
**Sent:** Wed 11/1/2017 8:13:37 PM  
**Subject:** RE: SSURO for Black Flag Disposable Fly Trap, Docket No. FIFRA 10-2017-0106

My apologies, the attachment I provided in my last email was subsequently claimed as CBI by Chemsico. Please delete all electronic copies of the document as soon as possible and treat paper copies according to the FIFRA CBI Manual.

Thank you.

Sincerely,

Chad

\*\*\*\*\*

Chad C. Schulze  
Pesticides and Toxics Unit  
Office of Compliance and Enforcement  
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1200 6th Avenue, Suite 900  
Seattle WA 98101  
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<https://www.epa.gov/scientific-diving> or <https://www.epa.gov/diving>

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**From:** Schulze, Chad  
**Sent:** Wednesday, November 01, 2017 11:54 AM  
**To:** Lott, Don <Lott.Don@epa.gov>; Hellyer, Yvette <Hellyer.Yvette@epa.gov>  
**Subject:** FW: SSURO for Black Flag Disposable Fly Trap, Docket No. FIFRA 10-2017-0106

FYI – For your discussion with Bob McNally.

Let me know if you have any questions.

Sincerely,

Chad

\*\*\*\*\*

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**From:** Schulze, Chad

**Sent:** Wednesday, October 04, 2017 9:49 AM

**To:** Burnett, Gina <[Burnett.Gina@epa.gov](mailto:Burnett.Gina@epa.gov)>

**Cc:** Hollis, Linda <[Hollis.Linda@epa.gov](mailto:Hollis.Linda@epa.gov)>; Kausch, Jeannine <[Kausch.Jeannine@epa.gov](mailto:Kausch.Jeannine@epa.gov)>;  
Dugan, Brett <[Dugan.Brett@epa.gov](mailto:Dugan.Brett@epa.gov)>

**Subject:** FW: SSURO for Black Flag Disposable Fly Trap, Docket No. FIFRA 10-2017-0106

Hi Gina,

We finally received Chemsico's response to our August 29, 2017 Stop, Sale Use or Removal Order prohibiting the distribution and sale of their pesticide product "Black Flag Disposable Fly Trap." We wanted to provide you a copy of the response as it explains in detail their argument

**Ex. 4 - CBI & Ex. 5 - Deliberative Process & Ex. 5 Attorney Client Privilege**

It seems important here for the Biopesticide and Pollution Prevention Division (BPPD) to

**Ex. 5 - Deliberative Process & Ex. 5 Attorney Client Privilege**

Though it is important to point out that Chemsico knows **Ex. 4 - CBI & Ex. 5 Attorney Client Privilege**

**Ex. 4 - CBI & Ex. 5 Attorney Client Privilege**

Whether or not BPPD accepts or rejects Chemsico's argument here,

**Ex. 5 - Deliberative Process & Ex. 5 Attorney Client Privilege**

**Ex. 5 - Deliberative Process & Ex. 5 Attorney Client Privilege**

**Ex. 4 - CBI & Ex. 5 - Deliberative Process & Ex. 5 Attorney Client Privilege**

As you articulated in your February 16, 2017, response to Region 10's ECR (#17-10-3):

**Ex. 5 - Deliberative Process**

Brett Dugan, Region 10 Counsel, will also be tying in OGC on this matter. Please let us know your thoughts and let us know how we can work together to respond to Chemsico. FYI - this SSURO is possibly costing Chemsico millions of dollars ...

Sincerely,

Chad

\*\*\*\*\*

Chad C. Schulze  
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**From:** Kakesh, Joseph [<mailto:JKakesh@wileyrein.com>]  
**Sent:** Wednesday, October 04, 2017 7:37 AM  
**To:** Schulze, Chad <[Schulze.Chad@epa.gov](mailto:Schulze.Chad@epa.gov)>  
**Cc:** Dugan, Brett <[Dugan.Brett@epa.gov](mailto:Dugan.Brett@epa.gov)>; Kowalski, Ed <[Kowalski.Edward@epa.gov](mailto:Kowalski.Edward@epa.gov)>;  
Heinzman, Tracy <[THeinzman@wileyrein.com](mailto:THeinzman@wileyrein.com)>  
**Subject:** RE: SSURO for Black Flag Disposable Fly Trap, Docket No. FIFRA 10-2017-0106

Dear Mr. Schulze,

On behalf of UIC, please see the attached letter. Thank you.

Joe Kakesh

Joseph S. Kakesh | Attorney at Law  
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